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THE CASE
AGAINST
ARMED MERCHANTMEN

TIMELY REPRINTS
FROM THE
NEW YORK PRESS

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STATUS OF ARMED MERCHANTMEN DEFINED AS THAT OF AUXILIARY CRUISERS

LANSING'S NEW CODE FOR WARFARE AT SEA

Appeals to Belligerents to Disarm Liners for Safety of Those on Board

FULL TEXT OF HIS NOTE

Tells the Powers That We Probably Will Treat All Armed Vessels as Warships

(From the *New York Times*)

CHICAGO, Saturday, Feb. 12.—The Chicago "Herald" prints this morning the note, which, by direction of the Secretary of State, American Ambassadors addressed to the European belligerents in connection with the recognition of submarines as commerce destroyers and the desirability of the disarmament of belligerent merchantmen.

The note was dated January 18, and has been received by "The Herald" from a European correspondent. Its text is as follows:

"It is a matter of the deepest interest to my Government to bring to an end if possible the dangers of life which attend the use of submarines as at present employed in destroying enemy commerce on the high seas, since on any merchant vessel of belligerent nationality there may be citizens of the United States, who have taken passage, or members of the crew in the exercise of their recognized rights as neutrals.

"I assume your Government is equally solicitous to protect their nationals from the exceptional hazards which are presented by their passage on merchant vessels through those portions of the high seas in which undersea craft of their enemy are operating.

"While I am fully alive to the appalling loss of life among noncombatants, regardless of age or sex, which has resulted from the present method of destroying merchant vessels without removing the persons on board to places of safety, and while I view that practice as contrary to those humane principles which should control belligerents in the conduct of their naval operations, **I do not feel that a belligerent should be deprived of the proper use**

of submarines in the invasion of commerce, since those instruments of war have proved their effectiveness in this practical branch of warfare on the high seas.

"In order to bring submarine warfare within the general rules of international law and the principles of humanity without destroying their efficiency in the destruction of commerce, I believe that a formula may be found which, though it may require slight modification of the precedent generally followed by nations prior to the employment of submarines, will appeal to the sense of justice and fairness of all the belligerents in the present war.

"Your Government will understand that in seeking the formula or rule of this nature I approach it of necessity from the point of view of a neutral, but I believe that it will be equally efficacious in preserving the lives of non-combatants on merchant vessels of belligerent nationalities.

"My comments on this subject are predicated on the following propositions:

"1. A non-combatant has a right to traverse the high seas in a merchant vessel entitled to fly a belligerent flag, to rely upon the observance of the rules of international law and principles of humanity, and if the vessel is approached by a naval vessel of another belligerent the merchant vessel of enemy nationality should not be attacked without being ordered to stop.

"2. An enemy merchant vessel when ordered to do so by a belligerent submarine should immediately stop.

"3. Such vessel should not be attacked after being ordered to stop unless it attempts to flee or to resist. In case it ceases to flee or resist the attack should be discontinued.

"4. In the event that it is impossible to place a prize crew on board of an enemy merchant vessel, or to convoy it into port, the vessel may be sunk, provided the crew and passengers have been removed to a place of safety.

"In complying with the foregoing principles, which, in my opinion, embody the principal rule, the strict observance of which will insure the life of a non-combatant on a merchant vessel which is intercepted by a submarine, I am not unmindful of the obstacles which would be made by undersea craft as commerce destroyers.

"Prior to the year 1915 belligerent operations against enemy commerce on the high seas had been conducted with cruisers carrying heavy armaments. In these conditions international law appeared to permit a merchant vessel to carry armament for defensive purposes without lessening its character as a private merchant vessel. This right seems to have been predicated on the superior defensive strength of ships of war, and the limitation of armament to have been **dependent on the fact that it could not be used effectively in offence against enemy naval vessels,** while it could defend the merchantmen against the generally inferior armament of piratical ships and privateers.

"The use of the submarine, however, has changed these relations. Comparison of the defensive strength of a cruiser and a submarine shows that the latter, relying for protection on its power to submerge, is almost defenceless in point of construction. **Even a merchant ship carrying a small calibre gun would be able to use it effectively for offence against the submarine.**

"Moreover, pirates and sea rovers have been swept from the main trade channels of the sea and privateering has been abolished. Consequently **the placing of guns on merchantmen at the present date of submarine warfare can be explained only on the ground of a purpose to render merchantmen superior in force to submarines and to prevent warning and visit and search by them. Any armament, therefore, on a merchant vessel would seem to have the character of an offensive armament.**

"If a submarine is required to stop and search a merchant vessel on the high seas, and in case it is found that she is of an enemy character and that conditions necessitate her destruction and removal to a place of safety of persons on board, **it would not seem just nor reasonable that the submarine should be compelled,** while complying with these requirements, **to expose itself to almost certain destruction by the guns on board the merchant vessel.**

"It would therefore appear to be a reasonable and reciprocally just arrangement if it could be agreed by the opposing belligerents that submarines should be caused to adhere strictly to the rules of international law in the matter of stopping and searching merchant vessels, determining their belligerent nationality and removing the crews and passengers to places of safety before sinking the vessels as prizes of war, and that **merchant vessels of belligerent nationality should be prohibited from carrying any armament whatsoever.**

"In proposing this formula as a basis of conditional declarations by the belligerent Governments I do so in all the full conviction that each Government will consider primarily the humane purposes of saving the lives of innocent people rather than the insistence upon **doubtful legal rights, which may be denied on account of new conditions.**

"I would be pleased to be informed whether your Government would be willing to make such a declaration conditioned upon their enemies making a similar declaration.

"I should add that **my Government is impressed with the reasonableness of the argument that a merchant vessel carrying armament of any sort, in view of the character of the submarine warfare and the defensive weakness of underseas craft, should be held to be an auxiliary cruiser and so treated by a neutral as well as by a belligerent Government, and is seriously considering instructing its officials accordingly."**

THE REAL ISSUE AT WASHINGTON

By William Bayard Hale

Who Went to Mexico as President Wilson's "Special Representative"

(From the *New York American*)

To arrive at a just decision on a question the first essential is to state the question—accurately, truthfully.

Forced by public opinion, the President has submitted to the Congress of the United States a question involving the foreign policy of the Government. As the President himself would put it, the question is: "Shall the rights of American citizens to cross the ocean on board of armed vessels of belligerent Powers be surrendered, at the dictation of the German Government?"

Is this a truthful statement of the question?

On January 18, at the instance of President Wilson, the Department of State transmitted to the Governments of the Allied Powers a communication in the course of which it was declared, as the opinion of the United States Government, that "there can now be no reason for the maintenance of even small calibre guns on merchant ships" unless the guns were for the purpose and with the intent of depriving submarines of "their undoubted right with safety to warn and search such merchantmen."

Brushing aside at one stroke all verbal sophistry on the subject of "offensive" and "defensive" guns, the United States Government then said that "**any** such armament of merchant vessels now might be regarded as **offensive** armament."

THE GOVERNMENT IMPRESSED

The memorandum went on to state that the Government of the United States was "very much impressed with the reasonableness of the argument that any merchant vessel which carries guns in any position has forfeited her non-combatant character." The memorandum concluded with the statement that the American Government was "seriously considering" instructing its officials in this sense.

The language of another paragraph in Mr. Wilson's January 18th communication to the Allied Powers is significant: Reiterating, as he had already done again and again, his grave doubt of the legal right of so-called merchant ships to carry arms, he remarked: "It is submitted that all nations should be animated by a desire to save the lives of innocent people, and therefore SHOULD NOT INSIST UPON THE EXERCISE OF ANY SUPPOSED TECHNICAL RIGHT."

Such was Mr. Wilson's attitude on January 18th, and for some days thereafter—up to the time when he was notified that the

British Allies would not consent to our enlightened and progressive view. **From that moment it was no longer Mr. Wilson's view.** From that moment Mr. Wilson began to denounce the German Government **because it had dared to assume the position which he had been urging the Allied Powers to assume.** From that moment it became his opinion that still to maintain the proposal he had submitted "would be a deliberate abdication of our hitherto proud position as spokesman for the law and the right."

That is, **until England had declined to give its approving nod,** the President of the United States pleaded the reasonableness of regarding armed merchantmen as belligerent ships, and urged that view upon other Governments, but **the moment the English frowned upon the idea,** he decided that to insist upon it would be a deliberate abdication of our hitherto proud position as spokesman for the right.

To-day the President is telling Congress, "I cannot consent to any abridgment of the rights of American citizens in any respect." A fortnight ago he was **urging** this very abridgment of the rights of American citizens—if it be a right to tempt death by taking passage on an armed ship.

To-day he is asking Congress to assure the world that it entertains "no divided counsels" on a subject of which he himself has within the month entirely, completely, diametrically, and absolutely reversed himself.

To-day he is vociferating: "Nations should NOT be moved by a desire to save the lives of innocent people, but SHOULD insist upon the exercise of some supposed technical right."

To-day, the President is denouncing those who are meekly content to "yield."

But who are really "yielding," and to **whom are** they "yielding"? Here is no question of "yielding" to Germany—because what Germany proposes to do is to act precisely in accord with Mr. Wilson's suggestion. The "yielding" in this case is a surrender to the British Allies, who would deny us the right to carry out a measure with the reasonableness of which the Administration was impressed only six weeks ago.

WHAT IS THE QUESTION?

In view of these unquestionable circumstances, what is, in truth, the question which the President is submitting to Congress? Is it in truth to be stated thus: "Shall the United States, at the instance of the German Government, surrender the right of Americans to travel on armed ships?"

Or is it, rather, to be thus stated:

"Shall the United States, at the instance of Great Britain, surrender its right to enact such legislation as it deems proper for the safe-guarding of the lives of its own people?"

The real issue between the President and the Congress is as to whether the United States of America is or is not a **Sovereign State.**

Once more, as always when brought face to face with the necessity of taking a stand which might possibly inure to the disadvantage of Great Britain, Mr. Wilson has retreated to the position that the United States is not free to determine its own policy and make its own laws during the progress of a war, but is on every point compelled to consult other Powers and obtain their consent.

With a whirligig agility unparalleled even in his own weathercock performances, with mercurial nimbleness in abandoning his own former views and adopting England's, Mr. Wilson writes Mr. Stone, Chairman of the Senate Committee of Foreign Relations, the amazing affirmation that the United States cannot uphold **its own proposition** "without conceding her own impotency as a nation and making virtual surrender of her independent position among the nations of the world!"

A VITAL MOMENT

The question of the submarine and the armed merchantman is one vital to the defense of our shores. It is upon the submarine that the people of the United States shall have chiefly to rely for defense in case of war. It behooves us then to enhance, not to impair, the efficiency of the submarine.

It is thoughtlessness of the interests of their own country that allows United States Senators like Mr. Lodge and Mr. Sterling to denounce the submarine as a pirate, and to uphold the right of merchant ships to arm themselves and still pretend to be peaceful innocents.

The proposal made in our armed merchantmen note of January 18th was recommended alike by the spirit of humanity and by the peculiar interests of the United States.

The position of the Administration is the positive one that **we are inhibited from any legislation**, no matter how necessary for our own interests, **unless we can beforehand obtain for it the assent of England.**

Suppose Congress were to take seriously the President's statement that "no man knows what any day, yes, any hour, may bring forth." Naturally the first imperative step would be to retain at home for our own use the military supplies now being manufactured here for the Allies. But, according to Mr. Wilson, we should not be free to take that imperative measure for our self-protection. It would be "unneutral."

Mr. Wilson, on assuming the Presidency, gave the world a book entitled "The New Freedom." Is this the novel brand of freedom he had in mind—**freedom to ask the permission of some Power across the sea, when about to enact legislation?**

Will the American people consent to such extraneous direction? Will they give up their intention of controlling their own destiny without appeal to foreigners—an intention, a determination, never before by one of our Presidents questioned or doubted or called into discussion?

Congress always supports a President in his foreign policies, right or wrong, for obvious reasons. But if the day ever comes when the people of the United States exhibit servility of spirit the history of American independence will have ended.

ARMED MERCHANTMEN TO BE CLASSED AS CRUISERS

By Prof. John W. Burgess

(From the *New York American*)

NEWPORT, R. I., March 7.

EDITOR NEW YORK "AMERICAN":

Sir—In reply to your questions relating to submarine warfare, I beg to say:

FIRST, that as all submarine procedure against merchant vessels, armed or unarmed, is a new thing, there are no rules of international law directly applicable in regulation of the same.

SECOND, that rules for this purpose must be developed, by the process of analogy, from the rules governing the procedure of cruisers against merchantmen, with such adjustments as the nature of the new warship reasonably requires.

I assume that the submarine is universally received as a legitimate weapon of war, else we ourselves, as well as the rest of the world, would not be constructing them.

In deriving rules by analogy from one situation or relation to be applied to another, the greatest care must be taken, and every difference of condition must be drawn into consideration and given its due weight.

In the matter we are discussing the all-important difference, the difference which governs the question, is the fact that on the surface of the water the cruiser dominates the merchantman completely, while the armed merchantman, on the other hand, dominates the submarine.

Therefore, while we are warranted in adopting, by analogy, the rules regulating the relation of the cruiser to the enemy merchantman, for the relation of the submarine to the unarmed enemy merchantman, **we are not warranted in doing so, without modification, where the enemy merchantman is armed, or**

is furnished with the means of calling prompt assistance, or is under orders to ram the submarine.

Neither do I think that the distinction between armament for offensive purposes and that for defensive purposes will hold in this derivation by analogy of the rules for governing the action of the submarine against the armed merchantman.

MUST CONSIDER ARMED SHIP SUBMARINE'S SUPERIOR

Any armament of the merchantman whatsoever makes it dominant on the surface of the water over the submarine. In fact, its ability to ram the submarine is a great danger to the latter.

I, THEREFORE, AM COMPELLED TO THE CONCLUSION THAT, IF WE RECOGNIZE THE SUBMARINE AS A LEGITIMATE WEAPON OF WAR, WE MUST, IN DERIVING BY ANALOGY FROM THE RULES OF CRUISER WARFARE THE RULES WHICH SHOULD GOVERN SUBMARINE ACTION TOWARD THE ENEMY MERCHANTMAN, CLASS ALL ARMED MERCHANTMEN AS WARSHIPS, WHILE UPHOLDING THE IMMUNITY OF THE UNARMED MERCHANTMAN STRICTLY ACCORDING TO THE EXISTING RULES GOVERNING THE RELATION OF THE CRUISER TO THE SAME.

I think this is the proper solution of the question from the point of view of legal theory. I also think it the proper solution from the point of view of American interests. Until we shall have constructed the most powerful navy of battleships, cruisers, and other surface craft in the world, we would be following a suicidal policy to be urging, or assenting to the formation of rules governing submarine warfare, which would deprive us of an effective defense by submarines of our own coast or of an effective means of preventing access to the coasts of Canada or Mexico by any foreign power seeking to make either one of these a base of operations against us.

If I understand Mr. Lansing's note to the foreign Powers advocating the entire disarming of merchant vessels, my view of the subject from both standpoints is in line with his.

A QUESTION THAT WOULD SOLVE ITSELF

THIRD, as to the question of warning our citizens against traveling on the armed merchantmen of the belligerent Powers, of course if all armed merchantmen of belligerents are classed as warships, this question would solve itself.

Any American citizen traveling on such a ship would do so at his own risk, with or without warning from his Government.

SO LONG, HOWEVER, AS ARMED MERCHANTMEN ARE NOT CONSIDERED BY OUR GOVERNMENT AS SO CLASSED, WE MUST HAVE RECOURSE TO THE PROCLAMATION OF WARNING OR ELSE BE CONTINUALLY EXPOSED TO THE CHANCES OF SERIOUS FOREIGN COMPLICATIONS AT THE WILL OF ANY CITIZEN.

The questions as to the signification of the warning and as to the body which in our political system has the authority to issue it may be answered easily and concisely.

The warning would be simply a disavowal of responsibility by the Government for the security of the individual who persisted in doing the thing against which the warning was proclaimed.

It would not forbid his doing it, but would simply notify him that if he does it he must do it at his own risk, and, in case of injury, must not require or expect the Government to reimburse or avenge the same.

THE MATTER OF WARNING IS, THEREFORE, NOT A QUESTION OF DIPLOMACY OR OF INTERNATIONAL LAW, OR OF INTERNATIONAL RELATIONS AT ALL. IT IS, FIRST OF ALL, A PURELY DOMESTIC QUESTION, SINCE IT IS SIMPLY THE QUESTION OF HOW FAR A GOVERNMENT CAN AND WILL ASSUME RESPONSIBILITY FOR THE RESULTS OF THE ACTS OF ITS OWN CITIZENS.

It becomes a question of diplomacy or foreign affairs only after the Government shall have assumed such responsibility and undertakes to deal with the foreign State charged with inflicting the injury.

As a domestic question it is, therefore, a question of internal law, a question, so far as the Government of the United States is concerned, **to be settled by the provisions of the Constitution or the statutes of Congress, and not by the Executive.**

All the talk about robbing the President of a diplomatic power by Congress assuming to settle this matter rests upon a misconception of the nature of the question.

The only power which the President constitutionally possesses upon this subject is his power to approve or veto the Congressional act.

NO ACTION DEMANDED OF THE PRESIDENT

If the act declines responsibility for the security of a citizen in a certain event, then the happening of the event does not concern the President or demand any action on his part.

In my opinion, some nations have gone too far in assuming

responsibility for injuries to their citizens or subjects in foreign countries and in certain unclear situations.

It has led to continuous turmoil and war and also intentionally to conquest.

It will be an improvement if the responsibility of the Government for the security of its citizens when outside its own territorial jurisdiction be more strictly defined by law, and the citizen not encouraged to consider every privilege he may, by custom, enjoy in a foreign country or, at times and under certain conditions, upon the high sea, as a right, the enforcement of which may be demanded by him of his Government without any regard to the exercise of individual prudence or to the convenience and welfare of his fellow citizens and his country or the peace of the world.

Finally, it must not be overlooked that **there is a good deal of deceit and hypocrisy mixed into all this controversy about the right of a citizen of a neutral country to travel upon belligerent merchantmen in declared war areas.**

We are manufacturing and selling billions of dollars' worth of war munitions to Great Britain and her Allies. It is not considered unneutral for a neutral government not to prohibit its citizens from carrying on such trade so long as it does not reach such dimensions as to make the neutral country a real base of supplies for one of the belligerents against the other.

But the belligerent purchaser must take the risk himself of the delivery of the munitions.

His enemy is within his right to capture or destroy them if he can.

The main object of German submarine warfare around the British coasts is to do this; and **the main object of getting American citizens to travel on these merchantmen carrying contraband of war is to shift the duty of securing the delivery of these munitions from the shoulders of the British Navy to the Government of the United States of America,** under the cloak of the claimed legal duty of the Government of the United States to hold the belligerent operating the submarine warfare against the munition ships of its enemy to strict accountability for any injury happening to an American citizen by reason of a submarine attack upon such ships.

TO MY MIND THE POINT OF REAL HUMILIATION TO OUR COUNTRY, OUR PEOPLE, AND OUR GOVERNMENT IS THAT WE SHOULD PERMIT OURSELVES TO BE USED FOR ONE MOMENT FOR SUCH A PURPOSE.

JOHN W. BURGESS.

BEFORE THE BAR OF NEUTRAL PUBLIC OPINION

(From *The Evening Mail.*)

The facts in the controversy regarding submarines and armed liners are now all before the public. Washington at last has published the appendices to the German memorandum of a week ago, giving facsimiles of the captured instructions to masters of British merchant vessels, instructions regarding the procedure against approaching submarines. London has had a chance to comment upon these appendices. The briefs and arguments are in. The case is up for judgment by America.

On August 4, 1914, the British chargé at Washington wrote to our State department and warned us to guard German merchant vessels from escaping from our ports to the high seas, there to be converted and armed to attack British commerce:

> His majesty's government will hold the United States responsible for any damage to British trade or shipping, or injury to British interests generally, which may be caused by such vessels being equipped at or departing from United States ports.

While Germany was to be bound, Britain was to be free. On August 9th a further British communication was handed to us, stating that we had no right to interfere with coming and going of British merchantmen, armed "solely for the purpose of defense."

On August 19th and 20th we sent answers to the British notes. We denied the international validity of Britain's claim that German ships could not lawfully be converted into cruisers on the high seas. We disclaimed any responsibility as to the effect on British interests, if this conversion should occur. We acknowledged, without comment, receipt of the British viewpoint regarding the harmless nature of armed British merchantships. It was obvious that we were not convinced.

Therefore, on August 25, Spring-Rice handed us a note dictated by Sir Edward Grey:

> I have at the same time been instructed by his majesty's principal secretary of state for foreign affairs to **give the United States government the fullest assurance that British merchant vessels will never be used for purposes of attack,** that they are merely peaceful traders armed only for defense, that **they will never fire unless first fired upon, and that they never will under any circumstances attack any vessel.**

Upon this definite promise we agreed to allow defensively armed British liners to enter our ports. The Germans had in the meantime been urging us not to do this. In a note to Bernstorff of

September 19th we informed him of our decision. We clearly stated that

> The presence of armament and ammunition on board a merchant vessel creates a presumption that the armament is for offensive purposes, but the owners or agents may overcome this presumption by evidence showing that the vessel carries armament solely for defense.

In various ways the presumption of the offensive nature of any armament at all might be removed. The most important evidence was the above declaration of Spring-Rice. Other evidences of innocent purpose were that the guns were small, few and not mounted forward, and

> **That the vessel is manned by its usual crew, and the officers are the same as those on board before war was declared.**

The grounds on which we were to judge the innocency of armed vessels were thus determined in the first two months of the war. In the light of events since then, what judgment must we pass upon the guiltless status of these vessels?

Our whole submarine controversy with Germany has been designed to force the submarines to cease sinking unarmed, unresisting merchant vessels without warning. We insisted that the submarines should visit and search merchantmen and, if they sank them, only to do so after safeguarding crews and passengers. The implication in all our correspondence is that submarines are warships with a lawful right of visit and search, and that resistance to the exercise of this right deprives merchantmen of immunity.

Our German correspondence dragged on. Finally Germany let us write, for her to sign, a "Lusitania" note that would be satisfactory to us, and Bernstorff dispatched this note to Berlin, which in due time approved it.

In the meantime **our State department had become convinced that the very power of merchant ships to attack the frail submarine rendered it impossible for the latter to perform that visit and search** which, we insisted, should be substituted for the fundamental right of the submarine, as a warship, to destroy.

So Lansing wrote the entente powers advising them to take arms off merchant vessels:

> **My government is impressed with the reasonableness of the argument that a merchant vessel carrying armament of any sort, in view of the character of the submarine warfare and the defensive weakness of the undersea craft, should be held to be an auxiliary cruiser, and so treated by a neutral as well as by a belligerent government.**

Basing on this note of ours, Germany issued her sea order declaring that after March 1st her submarines would torpedo on

sight all armed British merchant vessels. We have sent no official answer to this German order, though **Congress made it clear that we shall not go to war to avenge an American sunk on what the secretary of state calls a British "auxiliary cruiser."** The entente powers have not yet answered our suggestion that they disarm their merchant vessels; their officials intimate that they will refuse.

To-day the question raised by the new published instructions to masters of British merchantmen regarding "defensive" use of armament is whether Great Britain has not committed a serious breach of her plighted word to us in August, 1914.

These instructions were captured by a German submarine from a British steamer in the western Mediterranean. When the news first became public of these British admiralty orders that "defensively" armed merchant vessels should attack approaching submarines, the admiralty said that the captured instructions were antiquated, and had been replaced by those of October 20, 1915. But the October 20th order, as cabled to us by the admiralty, was in no important respect different from the earlier order, submitted by the Germans. The admiralty's preferred version is:

> It is important, therefore, that craft of this description (hostile submarines) should be allowed to approach to short range, at which a torpedo or bomb launched without notice would almost certainly be effective. Consequently it may be presumed that any submarine or aircraft which deliberately approaches or pursues a merchant vessel does so with hostile intentions. In such cases fire may be opened in self-defense in order to prevent the hostile craft from closing to a range at which resistance to a sudden attack with bomb or torpedo would not be possible.

How does this accord with the definite promise to us of August 25, 1914?

> British merchant vessels will never fire unless first fired upon, and they will never under any circumstances attack any vessel.

Are these the "unarmed, unresisting" merchantmen which we require the submarine, after emerging, to approach, visit and search?

The other documents in the German "find" are not denied by London. One is the following:

> **Ratings embarked as gun's crew** will sign the ship's articles at the rate of pay communicated.
> **Uniform is not to be worn in neutral ports.**

That is, a naval gun crew is shipped on the peaceful trader. But they are not to appear as such in neutral ports. Evidently the **British Admiralty desires to prevent us from knowing**

that they have obliterated one of Lansing's marks of defensive armament:

> That the vessel is manned by its usual crew, and the officers are the same as those on board before war was declared.

Finally the **British consciousness of guilt is clearly shown** in the following highly confidential communication to the ship's master:

> **In no circumstances is this paper to be allowed to fall into the hands of the enemy.**
>
> This paper is for the master's personal information. It is not to be copied, and when not actually in use is to be kept in safety in a place where it can be destroyed at a moment's notice.

The paper referred to is the paper of instructions regarding the treatment of approaching submarines, from which extracts have here been given.

In the light of these facts, the British government will soon know what official Washington thinks of the defensive armament of peaceful British traders. It will learn how far we think we can base our policy in this momentous matter solely on the word of Sir Edward Grey. His Majesty's government can already figure out for itself our attitude when we receive its expected refusal to disarm these innocent halcyons of the sea.

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